

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

09/24/2008

HON. GARY E. DONAHOE

CLERK OF THE COURT
S. Yoder
Deputy

STATE OF ARIZONA

WILLIAM W CLAYTON
KIRSTEN VALENZUELA

v.

EFREN MEDINA (A)

DANIEL B PATTERSON
ALAN ISSA TAVASSOLI

CAPITAL CASE MANAGER
CITS - CCC SPANISH
VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY 19

PENALTY PHASE

Defendant's exhibit 128 is marked for identification.

State's Attorney:	William W. Clayton and Kirsten Valenzuela
Defendant's Attorney:	Daniel B. Patterson and Alan I. Tavassoli
Defendant:	Present
Court Reporter:	Laura Ashbrook

11:06 a.m. Trial to jury continues from September 23, 2008.

The jury is not present.

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Argument is heard on the State's objection to questions being asked concerning the impact of the death penalty on Defendant's family.

IT IS HEREBY ORDERED precluding any questions as to what the actual sentence should be.

The Court will not preclude questions to Defendant's family regarding the impact of the death penalty on them, but the State may object to specific questions.

11:28 a.m. The jury is present.

Defendant's case continues:

Maria Medina is sworn and testifies.

Interpreter Martin Hernandez assists the witness.

Defendant's exhibit 124 is received in evidence.

12:00 p.m. Court stands at recess.

1:34 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Laura Ashbrook is present.

Interpreter Martin Hernandez is present.

Maria Medina resumes the stand and testifies further.

The testimony of Maria Medina is suspended to take a witness out of order.

Lewis Yablonsky is sworn and testifies.

Defendant's exhibits 127 and 128 are received in evidence.

2:50 p.m. Court stands at recess.

3:09 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Laura Ashbrook is present.

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Lewis Yablonsky resumes the stand and testifies further.

3:57 p.m. The jury is excused for the evening. Court remains in session.

Scheduling and procedural issues are discussed.

Mr. Clayton makes a motion to strike testimony of Mrs. Medina regarding how a death sentence would affect her husband.

Argument is heard.

The Court takes the motion to strike under advisement.

4:08 a.m. Court stands at recess until September 25, 2008 at 10:30 a.m.